AMENDMENTS TO THE CLAIMS

Please amend the claims to be as follows:

Claim 1 (currently amended): A communication network system, comprising:

a content server coupled with a transmitting location;

a content server coupled with a receiving center;

a QOS guaranteed <u>data</u> network connecting the transmitting location and the receiving center;

a non-QOS guaranteed <u>data</u> network connecting the transmitting location and the receiving center;

a buffer coupled with the transmitting location;

a buffer coupled with the receiving center;

a transmitting stream manager for routing traffic to either <u>the</u> QOS guaranteed or non-QOS guaranteed data networks; <u>and</u>

a receiving stream manager for detecting demand for specific data at the receiving center,

<u>wherein the transmitting stream manager is configured to increase a data transmission rate by utilizing the non-QOS guaranteed data network when a fill level of the buffer at the transmitting location is above a threshold.</u>

Claim 2 (canceled)

Claim 3 (currently amended): The communication network <u>system</u> of claim 1 where the QOS guaranteed data network is any packet based network.

Claim 4 (currently amended): The communication network <u>system</u> of claim 1 where the QOS guaranteed data network is a digital cable network between the transmitting location and the receiving location.

Claim 5 (currently amended): The communication network system of claim 1 where the non-QOS guaranteed data network is an Internet Protocol (IP) based network.

Claim 6 (currently amended): The communication network system of claim 1 where the non-QOS guaranteed data network is any packet based network.

Claim 7 (currently amended): The communication network system of claim 1 where the non-QOS guaranteed data network is any communication network between the transmitting location and the receiving location.

Claim 8 (currently amended): The ~~buffer~~ communication network system of claim 1, where the buffer at the receiving center is ~~capable of holding the~~ configured to hold data until all of the packets necessary to reconstruct the data is received.

Claim 9 (currently amended): The ~~buffer of claim 1~~ communication network system of claim 8, where the buffer at the receiving center is [[able]] configured to reconstruct the data.

Claim 10 (currently amended):   The ~~receiving stream manager if claim 1 capable of detecting the buffer level~~ communication network system of claim 1, wherein the receiving stream manager is configured to detect a fill level of the buffer at the receiving center.

Claim 11 (currently amended):   The ~~receiving stream manager of claim 1 capable of sending~~ communication network system of claim 10, wherein the receiving stream manager is configured to send a request to the stream manager at the transmitting location to increase the data transmission rate when the ~~buffer~~ fill level of the buffer at the receiving center is below a threshold.

Claim 12 (currently amended): The ~~receiving stream manager of claim 1 capable of sending~~ communication network system of claim 1, wherein the receiving stream manager is configured to send a request to the stream manager at the transmitting location to give higher priority to specific data.

Claim 13 (currently amended): The ~~receiving stream manager of claim 1 capable of sending~~ communication network system of claim 12, wherein the receiving stream manager is configured to send a request to the transmitting stream manager ~~at the transmitting location~~ to stop giving the higher priority to the specific data.

Claim 14 (currently amended): The ~~transmitting stream manager of claim 1 capable of detecting the buffer level~~ communication network system of claim 1, wherein the transmitting stream manager is configured to detect the fill level of the buffer at the transmitting location.

Claim 15 (canceled)

Claim 16 (currently amended): A communication network system, comprising:

a content server coupled with a transmitting location;

a content server coupled with a receiving center;

a QOS guaranteed data network connecting the transmitting location and the receiving center;

a non-QOS guaranteed data network connecting the transmitting location and the receiving center;

a buffer coupled with the transmitting location;

a buffer coupled with the receiving center;

a transmitting stream manager for routing traffic to either the QOS guaranteed or non-QOS guaranteed data networks; and

a receiving stream manager for detecting demand at the receiving center,

~~The transmitting stream manager of claim 1 capable of increasing~~ wherein the transmitting stream manager is configured to increase a data transmission rate by

utilizing the non-QOS guaranteed network upon receiving a request to do so from the receiving stream manager.

Claim 17 (currently amended):   The ~~transmitting stream manager of claim 1 capable of receiving~~ communication network system of claim 16, wherein the transmitting stream manager is further configured to receive the request from the receiving stream manager ~~at the receiving center~~ to give higher priority to specific data.

Claim 18 (currently amended):   The ~~transmitting stream manager of claim 1 capable of redirecting content~~ communication network system of claim 17, wherein the transmitting stream manager is further configured to redirect the specific data to the non-QOS guaranteed network.

Claim 19 (currently amended):   The ~~transmitting stream manager of claim 1 capable of resuming~~ communication network system of claim 18, wherein the transmitting stream manager is further configured to resume normal delivery of the specific data to the receiving center upon receiving a request from the receiving stream manager to stop giving the higher priority to the specific data.

Claim 20 (new): A method of communicating data packets from a content server, the method comprising:

buffering the data packets from the content server by using a buffer at a transmitting location;

determination by a transmitting stream manager whether the data packets are to be routed from the transmitting location to the receiving location via either a quality-of-service guaranteed data network or a non-quality-of-service guaranteed data network; and

increasing a data transmission rate by the transmitting stream manager determining to utilize the non-quality-of-service guaranteed data network when a fill level of the buffer at the transmitting location is above a predetermined threshold level.

Claim 21 (new):   A method of communicating data packets between two content servers, the method comprising:

buffering the data packets from a first content server by using a buffer at a transmitting location;

buffering the data packets to a second content server by using a buffer at a receiving location;

determination by a transmitting stream manager whether the data packets are to be routed from the transmitting location to the receiving location via either a quality-of-service guaranteed data network or a non-quality-of-service guaranteed data network; and

increasing the data transmission rate by the transmitting stream manager determining to utilize the non-quality-of-service guaranteed data network upon receiving a request to do so from a receiving stream manager.

Claim 22 (new): The method of claim 21, further comprising the transmitting stream manager giving higher priority to specific content after receiving a request from the receiving stream manager to give the higher priority to the specific content.